

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

JAMIE ESTES MCLANE, )  
 )  
 Plaintiff, )  
 )  
 v. ) No. 4:12CV2012 HEA  
 )  
 JAY FISK, )  
 )  
 Defendant. )

# MEMORANDUM AND ORDER

This matter is before the Court upon review of the record.

The Court notes that on October 29, 2012, plaintiff filed a pro se complaint against defendant Fisk, as well as an unsigned motion to proceed in forma pauperis and financial affidavit. However, on November 8, 2012, plaintiff sent an unsigned letter to the Court seeking dismissal of his case, without prejudice. The Court Clerk notified plaintiff on November 13, 2012, that he would need to resubmit his document in motion form with an original signature, but plaintiff has so far failed to do so.

Plaintiff shall be given an additional thirty (30) days from the date of this Memorandum and Order to submit a motion for voluntary dismissal, without prejudice, bearing his original signature, should he still wish to do so.

If plaintiff wishes to proceed with this action, he must file either pay the \$350 filing fee or file an amended motion to proceed in forma pauperis, along with a new financial affidavit, both bearing an original signature.

Accordingly,

**IT IS HEREBY ORDERED** that should plaintiff wish to dismiss this case without prejudice, plaintiff shall have thirty (30) days from the date of this Memorandum and Order to resubmit a motion for voluntary dismissal, without prejudice, on a sheet bearing his original signature.

**IT IS FURTHER ORDERED** that if plaintiff wishes to pursue this action, plaintiff shall have thirty (30) days from the date of this Memorandum and Order to either pay the \$350 filing fee or submit an amended motion to proceed in forma pauperis and a financial affidavit, both bearing his original signature.

**IT IS FURTHER ORDERED** that the Clerk of Court shall provide plaintiff with a form motion to proceed in forma pauperis and a CJA Form 23 financial affidavit.

Dated this 11th day of January, 2013.



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HENRY EDWARD AUTREY  
UNITED STATES DISTRICT JUDGE